

Mr. SCULLY with Mr. BROWNING.

Mr. HOBSON with Mr. FAIRCHILD.

Mr. BARTLETT with Mr. BUTLER.

Mr. CARY. Mr. Speaker, I notice that the gentleman from Wisconsin, Mr. BURKE, is not here. I am paired with him. I voted "nay" on the proposition, and I would like to vote "present."

The SPEAKER. Call the gentleman's name.

The name of Mr. CARY was called, and he voted "present."

Mr. HAMILTON of Michigan. Mr. Speaker, I voted "nay" on the roll call, but I am paired with the gentleman from Kansas, Mr. CONNELLY, and I desire to withdraw my vote and vote "present."

The SPEAKER. The Clerk will call the gentleman's name.

The name of Mr. HAMILTON of Michigan was called, and he voted "present."

The result of the vote was announced as above recorded.

Accordingly, under its previous order, the House (at 1 o'clock and 35 minutes p. m.) adjourned until Monday, October 20, 1913, at 12 o'clock noon.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By the SPEAKER (by request): Memorial of the Legislature of North Carolina, requesting Congress to investigate the interpretation and administration of the act to regulate interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. BAILEY: A bill (H. R. 8947) to authorize the Postmaster General to extend the Free Delivery Mail Service to towns and villages of 1,000 population or over; to the Committee on the Post Office and Post Roads.

By Mr. BREMNER: A bill (H. R. 8948) to establish a bureau of industrial safety and to provide for its powers and duties; to the Committee on Labor.

By Mr. KAHN: A bill (H. R. 8949) to amend section 9 of paragraph 6 of the act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes," approved March 4, 1913; to the Committee on the District of Columbia.

By Mr. SABATH: Joint resolution (H. J. Res. 141) that it is the sense of the American Congress that the principles of justice and the interests of civilization demand that the charges that Mendel Beilis committed "ritual murder" be withdrawn; to the Committee on Foreign Affairs.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DICKINSON: A bill (H. R. 8950) granting a pension to Ezekiel S. Williams; to the Committee on Invalid Pensions.

By Mr. DONOHUE: A bill (H. R. 8951) authorizing Capt. P. H. Uberroth, United States Revenue-Cutter Service, and Gunner Carl Johansson, United States Revenue-Cutter Service, to accept watches tendered to them by the Canadian Government; to the Committee on Interstate and Foreign Commerce.

By Mr. GLASS: A bill (H. R. 8952) granting an increase of pension to Florence P. Percy; to the Committee on Pensions.

By Mr. KIESS of Pennsylvania: A bill (H. R. 8953) granting a pension to Daniel Engler; to the Committee on Invalid Pensions.

By Mr. LIEB: A bill (H. R. 8954) granting an increase of pension to Louis Krott; to the Committee on Invalid Pensions.

By Mr. MARTIN: A bill (H. R. 8955) granting an increase of pension to Charles W. Halls; to the Committee on Invalid Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 8956) granting an increase of pension to Clark Christopher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8957) granting an increase of pension to Absalom Board; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BELL of California: Memorial of the Pasadena Board of Trade, of Pasadena, Cal., protesting against the Secretary of the Interior granting rights of way over Government land for the diversion of water from the Grand River basin to certain corporations and individuals; to the Committee on the Public Lands.

By Mr. KIESS of Pennsylvania: Evidence in support of House bill 3080, for the relief of William S. Rote; to the Committee on War Claims.

Also, evidence in support of House bill 3584, granting an honorable discharge to Edward Hilsher; to the Committee on Military Affairs.

By Mr. UNDERHILL: Petitions of sundry citizens of the State of New York, favoring a change in the interstate-commerce laws relative to mail-order houses; to the Committee on Ways and Means.

By Mr. WHITE: Petition of Ora Blizzard and 7 others, of Frazeysburg; Rucker Bros. and 3 others, of Lowell; Turner Ebinger Co. and 17 others, of Marietta; Morris Hardware Co. and 12 others, of McConnellsville; J. L. Wolfram and 6 others, of Malta; and W. E. Wootton and 6 others, of Stockport, all in the State of Ohio, favoring the passage of legislation compelling concerns selling goods direct to the consumer by mail to contribute their portion of the funds for the development of the local community, county, and State; to the Committee on Ways and Means.

#### SENATE.

SATURDAY, October 18, 1913.

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

The Journal of the proceedings of Thursday last was read and approved.

COTTON TIES AND BAGGING (S. DOC. NO. 213).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Commerce, transmitting in response to a resolution of July 18, 1913, reports prepared in the Bureau of Foreign and Domestic Commerce of the Department of Commerce, on the recent advance in the price of bagging used in baling cotton, and also the advance in the price of ties used in handling or baling cotton, etc., which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bills:

S. 767. An act granting permission to the city of Marshfield, Oreg., to close Mill Slough in said city; and

S. 3296. An act to enable the Commissioner of Indian Affairs to employ additional clerks on heirship work in the Indian Office.

The message also announced that the House had passed the following bill and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 8702. An act to authorize the county of Miami, Ind., to construct a bridge across the Wabash River in Miami County, Ind.;

H. J. Res. 134. Joint resolution for the appointment of a joint committee from House and Senate to attend Congress Hall celebration in Philadelphia in October, 1913; and

H. J. Res. 142. Joint resolution to provide for furnishing the additional rooms in the House Office Building.

#### ISSUE OF TRAVELERS' CHECKS.

Mr. KERN. I present the petition of John Overmyer, a prominent citizen of Indiana. As it is short and contains matter of general interest, I ask to have it read.

There being no objection, the petition was read, as follows:

NORTH VERNON, IND., September 22, 1913.

HON. JOHN W. KERN,

United States Senate, Washington, D. C.:

I respectfully request that you present the following petition to the Senate: That the Senate add a section to the Glass-Owen currency bill providing that all travelers' checks shall be issued by the national reserve banks, and that a tax be laid on all such checks issued by any other bank, corporation, partnership, or person sufficient to cause the whole business of issuing such checks to be thrown into the hands of such reserve banks. All other national banks will, of course, be made agents for the issuing of such checks by the reserve banks. Checks so issued under such express provision of law will have behind them the whole consolidated banking power of all the banks in the United States so far as such banking power is represented by all the banks in the United States that do business under such currency bill. Checks so issued would be equal to, if not better than, Bank of England notes which pass as money all over the world. The issuing of such checks is a great business. The American Express Co. alone has a constant deposit of some \$6,000,000 growing out of this business. The Hamburg-American and the North German-Lloyd Steamship Cos. issue a large amount of these checks in this country. Kuhn-Loeb & Co. and J. P. Morgan & Co., as also Thomas Cook & Sons, issue these checks largely. The American Bankers' Association also issues such checks, but their issuing such checks is ultra vires so far as the national banks are concerned, as no power to transact such business is granted by the national bank act. By conferring the power to issue such checks on the national reserve banks a deposit of from \$50,000,000 to \$75,000,000 can be created for such reserve banks, which will constantly increase.

JOHN OVERMYER.

The VICE PRESIDENT. The petition will be referred to the Committee on Banking and Currency.

## ESTATE OF WILLIAM POPE, DECEASED.

Mr. BACON presented an affidavit in support of the bill (S. 3134) for the relief of the administratrix of the estate of William Pope, deceased, which was referred to the Committee on Claims.

## BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. STERLING:

A bill (S. 3302) to amend an act entitled "An act to prohibit corporations from making money contributions in connection with political elections," approved January 26, 1907; to the Committee on Privileges and Elections.

By Mr. BRADLEY:

A bill (S. 3303) granting a pension to Alfred G. Hawkins (with accompanying papers); to the Committee on Pensions.

By Mr. CLAPP:

A joint resolution (S. J. Res. 72) to reimburse the officers and employees of the Senate and House of Representatives for mileage and expenses incident to the first session of the Sixty-third Congress; to the Committee on Appropriations.

## BANKING AND CURRENCY.

Mr. STONE. Mr. President, I desire to state that on Wednesday morning next, if the Senate should be in session, I desire to address some views in the hearing of the Senate in respect to the pending banking and currency bill, and especially respecting the great necessity of prompt and speedy action with a view to its passage at this session of Congress. If the Senate should not be in session on Wednesday, then at the very first opportunity I shall avail myself of the privilege of submitting the observations of which I have given notice.

## THE MERCHANT MARINE.

Mr. BURTON. I ask unanimous consent to have printed in the Record certain reports and arguments relating to the seamen's bill.

First, a report from the Commissioner of Navigation on H. R. 4616, which is on the same subject as the bill pending here, transmitted by the Secretary of Commerce to the chairman of the Senate Committee on Commerce;

Second, a report to the Secretary of Commerce from the committee on efficiency of officers and crew, International Conference on Safety at Sea;

Third, a letter from Mr. Andrew Furuseth, addressed to the Secretary of Commerce in response to the last-named report;

Fourth, a letter to the Secretary of Commerce from Mr. H. H. Raymond on the subject; and

Fifth, a letter from an attorney for vessel owners of the United States, addressed to the chairman of the Senate Committee on Commerce.

There being no objection, the matter referred to was ordered to be printed in the Record, as follows:

(Department of Commerce, Inclosing memorandum from Commissioner of Navigation.)

DEPARTMENT OF COMMERCE,  
OFFICE OF THE SECRETARY,  
Washington, October 3, 1913.

Hon. JAMES P. CLARKE,  
United States Senate, Washington, D. C.

MY DEAR SENATOR: In connection with the seamen's bill, H. R. 4616, I have received from the Commissioner of Navigation the memorandum concerning certain details thereof, of which copy is handed you for your consideration. I have taken the liberty at the same time of handing a copy of this memorandum to my colleague, the Secretary of Labor, so that you may both be informed of the suggestions made by Mr. Chamberlain.

Yours, very truly,

WILLIAM C. REDFIELD,  
Secretary.

(Memorandum for Secretary Redfield. The Alexander seamen's bill, H. R. 4616.)

SEPTEMBER 29, 1913.

I have read attentively the joint report (copy attached) which you and Secretary Wilson made May 6 on the La Follette seamen's bill, S. 4. The Alexander bill on the same subject is much more carefully drawn both in substance and in form.

The following observations, which you have authorized me to present to you, do not conflict with your approval of the general principles of the legislation. They point out certain administrative difficulties and certain embarrassments arising from our agreements with other nations, most of which could not have been readily foreseen by the authors of the bill. These in every or nearly every instance can be met by changes in the bill which will not affect its general principles which you favor. As a practical business man, head of the department which must carry out the legislation, you appreciate the need of having the principles of the legislation reduced to concrete propositions which the department can administer.

## DATE OF EFFECT.

The bill is to take effect as to vessels of the United States 90 days after its passage. This is too short a time to make preparations necessary to carry out some sections. The Hardy licensed-mates act of 1913 took effect on March 4, but you will recall it has taken over five months

to put it into operation, and it applies to about 300 vessels and men compared with the seamen's bill applying to about 3,000 American vessels, thousands of men, and to vessels of foreign nations. I wish you would speak with Assistant Secretary Sweet on this phase.

(a) Some sections could take effect after 60 days' notice—the time needed to print and distribute department circulars throughout the country.

(b) Other sections should not take effect until after six months' notice.

(c) The thirteenth section (able seamen), which the Seamen's Union deems the most important, creates a new rating, and in effect extends the principle of license now applied to officers of steam vessels to the deck crews of all vessels of 100 tons gross or over, except on rivers (perhaps 4,000 steam, motor, and sail vessels and barges). The application of this section to American vessels alone will require considerable administrative machinery (steamboat-inspection force, collectors of customs force, and probably shipping commissioners' force), and I believe it ought not to take effect until after the beginning of the next fiscal year, July 1, 1914, so we can provide for it in deficiency estimates next winter. We must at least point out the situation to Congress to avoid the charge of lack of foresight. Of course, if we can not get the money to carry out the bill and Congress nevertheless passes it, the responsibility for failure to administer it can not legitimately be charged against the department.

## SAFETY AT SEA.

The same thirteenth section deals with the efficiency of crews, and is applicable to foreign as well as to domestic vessels. The subject matter, as you know, is of at least equal importance with lifeboats and other subjects before the international conference to meet at London on November 12. I think a more durable and practical conclusion can be reached after the conference than before it. Be this as it may, the British Government, in the ambassador's note of July 25, asked the United States to await the results of the conference before allowing the bill to become a law, and the German Government, in the ambassador's note of July 15, took the view that the willingness of the United States to take part in the conference can not be reconciled with the settlement in advance by Congress of questions before the conference. I doubt whether these requests should be ignored.

## IMPRISONMENT FOR DESERTION.

Five pages (pp. 8, 9, 10, 18, and 19, sections 7, 8, 15, and 16) of the bill out of 20 are almost exclusively devoted to the abolition of the penalty of imprisonment for the desertion of seamen from American or foreign ships. In this country there is virtually no opposition to this proposition, which was favored by the Democratic and Republican national platforms. The year's notice of termination of treaties is carefully provided in sections 15 and 16. These provisions of the bill—involuntary servitude—were doubtless in your mind when you recommended early action on the La Follette bill. They have no direct bearings on safety at sea and do not require international action beyond the notice of termination of treaties.

## HOURS OF LABOR AND HOLIDAYS.

The second section is one of the most important sections of the bill and should be entirely clear. The meaning to be given to the words "while at sea" is uncertain. Narrowly construed they would mean on salt water outside of headlands (case 68176-n); more broadly construed they might include voyages on the Great Lakes as well as on the ocean; and still more broadly construed they might mean any vessel when under way. An expression fixing the exact intended scope of the section which will not have to be carried to the courts for interpretation should be found.

## SUBSTITUTES.

The first section of the bill deals with substitutes. This subject was treated in the first section of the Hardy licensed-mates act of March 3, 1913, which has probably been overlooked. The Hardy provision applies generally, while section 1 of this bill applies only to vessels in foreign trade. The Hardy provision applies to steam vessels; section 1 applies to steam and sail. Section 1 would repeal part of the Hardy Act. The first section, therefore, should be rewritten in view of the Hardy Act. The two sections follow:

## "ALEXANDER BILL.

"SEC. 4516. In case of desertion or casualty resulting in the loss of one or more of the seamen the master must ship, if obtainable, a number equal to the number of those whose services he has been deprived of by desertion or casualty, who must be of the same or higher grade or rating with those whose places they fill, and report the same to the United States consul at the first port at which he shall arrive, without incurring the penalty prescribed by the two preceding sections."

## "HARDY ACT.

"If any such vessel is deprived of the services of any number of the crew without the consent, fault, or collusion of the master, owner, or any person interested in the vessel, the vessel may proceed on her voyage if, in the judgment of the master, she is sufficiently manned for such voyage: *Provided*, That the master shall ship, if obtainable, a number equal to the number of those whose services he has been deprived of by desertion or casualty, who must be of the same grade or of a higher rating with those whose places they fill. If the master shall fail to explain in writing the cause of such deficiency in the crew to the local inspectors within 12 hours of the time of the arrival of the vessel at her destination, he shall be liable to a penalty of \$50. If the vessel shall not be manned as provided in this act, the owner shall be liable to a penalty of \$100, or, in case of an insufficient number of licensed officers, to a penalty of \$500."

## WAGES.

(a) The third section doubles the penalty for delay in paying a seaman his wages earned. This section should be passed at once, to take effect in 90 days.

(b) The fourth section provides for the payment of half the wages due to seamen at intermediate ports where cargo is loaded or discharged during a voyage. The law now permits such payment unless the contrary is stipulated in the articles, as is frequently done. This part of the section could be passed at once to take effect in 90 days.

The closing proviso of the section, applying this rule for paying wages for foreign ships, is contrary to various treaties and conventions, and we shall break faith with these nations unless we first give notice of our purpose to abrogate such treaties. The notice contained in section



15 of the bill must be extended to cover payment of wages as well as imprisonment for desertion. This part of the bill, therefore, could not take effect for over a year.

(c) The eleventh section prohibits all allotments of wages in American ports to seamen on American or foreign vessels. Without additional legislation the Commissioner of Navigation already has authority to stop allotments, which have been gradually reduced. I have not exercised this authority to its full extent because, as I have advised you, I believe to cut off all allotments would impede our foreign commerce, particularly at the cotton-export and bunker-coal ports, and that the resulting injury to labor ashore would be much greater than the possible gain to seamen from the prohibition of allotments. This matter is of slight concern to American shipowners, but it may materially affect American exporters, especially at southern ports where seamen are scarce. I may be mistaken as to the effect of stopping allotments, and if as the head of the Department of Commerce you wish me to do so, I will prepare regulations cutting down by one-half the present allotment schedule, to take effect January 1, 1914, and cutting off all allotments on April 1, 1914. This will give fair notice to all concerned, and if for any reason the results should not prove satisfactory it would be possible to retrace our steps.

NOTE.—The Supreme Court of the United States has upheld our authority under the allotment law, and the question of contracts for wages of seamen on foreign ships made in the United States is quite different from the question of such contracts made abroad.

(d) The twelfth section extends to fishermen's wages the exemption from attachment now extended to seamen's wages. At page 15, line 7, the word "title" should read "act," and in line 9 the word "other" should be omitted, because the courts and laws distinguish between merchant seamen and fishermen. This section could be passed at once, to take effect in 90 days.

#### FORECASTLES.

Our statutory requirements for fore-castle accommodations are much below foreign requirements. The sixth section deals with this subject, but not fully. It begins inadvertently by wiping out the laws governing the subject on ships built before this act, and if passed in this form we will have no law to enforce upon older vessels. Last year I studied with some care the German, French, Norwegian, and British laws on the subject, and Appendix A is a substitute for the sixth section of the bill, and includes the best features of those laws and I believe will be recognized as distinctly better than the sixth section for new vessels. We have practically ceased to build sail vessels, so the substitute related mainly to steamers and the larger motor boats.

#### SEAWORTHINESS AND PROVISIONS.

(a) The fifth section enables the majority of the crew, without the concurrence of an officer, to demand a consular survey as to seaworthiness, quantity and quality of provisions, etc.

(b) The tenth section adds a quart to the daily allowance of water and an ounce to the daily allowance of butter. These two sections can be carried out at any times after 90 days' notice—sufficient to advise American consuls.

#### CORPORAL PUNISHMENT.

The new part of the ninth section provides that when a mate maltreats a seaman and the master does not turn him over to the authorities the owner of the vessel shall be liable in damages for the maltreatment by the mate. I think you will wish to ask Mr. Thurman about this.

#### BARGES.

Section 14 requires the Department of Commerce to report annually concerning accidents to barges at sea, doubtless as a basis for future legislation. This section, of course, can be carried out at any time.

E. T. CHAMBERLAIN, Commissioner.

SEC. 6. That section 2 of the act entitled "An act to amend the laws relating to navigation," approved March 3, 1897, is hereby amended by adding thereto the following:

"The collector or other officer of customs shall not issue a register, enrollment, or license to any merchant vessel of the United States the construction of which shall be begun after July 1, 1914, except fishing vessels, yachts, pilot boats, and all vessels under 200 gross tons, unless he shall be satisfied by inspection that the provisions of this act have been complied with; and he shall from time to time note on such document the number of the crew the vessel may carry in compliance with this section.

"PAR. A. (1) Every space appropriated to the crew of such vessel shall be securely constructed, drained, and properly protected from weather and sea, and shall have a space of not less than 120 cubic feet and not less than 18 square feet measured on the floor or deck of that place for each seaman or apprentice lodged therein. If such space have inclined sides, the superficial area may be computed at one-half the height instead of on the deck.

"(2) The spaces appropriated to the crew shall include a compartment properly built and separated from other spaces for hospital purposes on all such merchant vessels which in the ordinary course of their trade make voyages on the ocean of more than three days' duration between ports. If the number of the crew shall exceed 12, and such compartment shall have at least 1 bunk for each multiple of 12 seamen up to 6 bunks.

"(3) The spaces for the crew shall have wooden flooring or be covered with some substance impervious to water which may be easily cleaned and is a nonconductor of heat. The sides and ceilings shall be painted in a light oil color, and iron ceilings, if used, must be provided with a covering to prevent dripping.

"(4) No space for crew accommodation shall be deducted from gross tonnage unless there is permanently cut in a beam and over the doorway of such space the number of men it is allowed to accommodate with these words: 'Certified to accommodate — seamen.'

"(5) Every space occupied by the crew shall be kept free from goods or stores of any kind not being the personal property of the crew in use during the voyage; and if any such place is not so kept free, the master shall forfeit and pay to each seaman or apprentice lodged in that place the sum of 50 cents for each day during which any goods or stores as aforesaid are kept or stored in the place after complaint has been made to him by any two or more of the seamen so lodged.

"PAR. B. (1) Each such space shall be sufficiently open to daylight.

"(2) Shall be provided with sufficient artificial illumination at night and in dark weather.

"(3) Shall be provided with sufficient ventilation by ports or doors, and, in addition, with artificial appliances for sufficient ventilation when ports are closed, to be so arranged that the cold current shall not pass directly over the berths.

"(4) Shall be properly heated during cold weather.

"(5) Shall be properly shut off as far as practicable from the effluvia of cargo or bilge water.

"(6) Each seaman or apprentice shall be allowed a berth for his sole use at least 2 feet in width and at least 6 feet in length, and the distance between the floor and the bottom of the lower berth shall be at least 10 inches, and, except for the berthing of Asiatics, not more than two berths shall be in a tier.

"(7) Where a mess room separate from sleeping quarter is not provided for the seamen, the crew spaces shall be provided with tables and seats for at least one-half of the crew, excluding Asiatics.

"PAR. C. Every merchant vessel of the United States propelled by machinery the construction of which shall be begun after July 1, 1914, having, exclusive of licensed officers, a crew of 20 or more, except fishing vessels, yachts, pilot boats, and vessels under 200 gross tons, shall have for the use of the crew:

"(1) At least one light, clean, and properly heated wash room, which shall be provided with at least one washbasin for each two men of a watch, except those for whom individual washing accommodations are provided elsewhere.

"(2) A special wash room for the engine department, if it consists of more than 10 persons, exclusive of licensed officers, so situated that the men can reach it on the way from the engines, boilers, or coal bunkers before entering their quarters, and of such size that at least a sixth of the engine department, exclusive of licensed officers, can wash at the same time. It shall be provided with running water and with at least one shower bath for each four of the watch and with at least one washbasin for each two men of the watch, except those for whom individual washing and bathing accommodations are provided elsewhere. Cold and hot water shall be supplied in sufficient quantities and at least 2 gallons of fresh water shall be available for the use of each man of the engine department at the end of his watch.

"(3) The sides and ceilings of the wash rooms shall be painted in light oil color, and the wash room shall be cleaned at least daily.

"PAR. D. After such vessel has been registered, enrolled, or licensed—

"(1) For any violation of the requirements of paragraphs A, B, or C in construction or equipment the owner shall be liable to a penalty of \$500, for the recovery of which the vessel may be seized and proceeded against by way of libel in the district court of the United States for any district within which such vessel may be found.

"(2) For any willful or continued violation of any of the requirements of paragraphs A (except 5), B, or C relating to maintenance in condition for use of construction, appliances, or supplies therein provided for the master shall be liable to a penalty of \$50, and, in addition, shall be liable to the suspension or revocation of his license in the manner now provided for such penalty in case of violation of the steamboat-inspection laws and regulations.

"(3) For any act or damage to or fouling or waste of any of the construction, appliances, or supplies provided for in paragraphs A, B, or C willfully committed by him a seaman shall be liable to the forfeiture of — days' pay, and if the offense be repeated on the same voyage to double that penalty."

REPORT TO THE SECRETARY OF COMMERCE OF THE COMMITTEE ON EFFICIENCY OF OFFICERS AND CREWS—INTERNATIONAL CONFERENCE ON SAFETY AT SEA.

DEPARTMENT OF COMMERCE,  
Washington, September 13, 1913.

To HON. WILLIAM C. REDFIELD,  
Secretary of Commerce.

SIR: The Committee on Efficiency of Officers and Crews submits the following report for the consideration of the Secretary of Commerce in the preparation of data for the use of the delegates of the United States to the International Conference on Safety at Sea.

The committee organized May 16, 1913, and has held seven meetings. After some study of the laws of other nations relating to the efficiency of officers and crews, of foreign reports and of bills pending in the Congress of the United States, with the accompanying testimony and reports, bearing more or less directly upon the subject, the committee on June 7 sent the attached letter of inquiry (appendix) to the principal American ocean steamship companies, to maritime exchanges and chambers of commerce at our largest seaports, to organizations of masters and mates, engineers and seamen, to representative American ship captains, and to others, the results of whose experience might be helpful to the committee. Thirty-two replies have been carefully considered.

At the outset the committee cordially concurs with the following views expressed in the closing paragraph of the report on May 15, 1913, of the British Departmental Committee on Boats and Davits:

"The efficiency of the arrangements for saving life at sea depends as much upon the competency of the officers and crew as upon the life-saving appliances on board. The boats and other appliances require efficient crews to handle them. Strict discipline and obedience are essential."

The efficiency of officers of merchant vessels is already determined in accord with regulations established by the principal maritime nations, which, though differing somewhat in scope and detail, are reasonably similar in the standards required.

1. Discipline and obedience to orders are the first essentials to efficient crews, but these are matters for local legislation and custom rather than international agreement.

2. The physical condition and health of seamen and the sanitary conditions under which they pursue their calling enter into the problem of efficiency and in our opinion are proper subjects of international regulation. Conclusions on these subjects, however, must be based on medical and hygienic investigation and we are in doubt whether the program of the conference provides for the consideration of this subject or whether the duration of the conference will permit the investigation and discussion necessary to authoritative conclusions.

3. Training of the crews is the second essential to efficiency and the standards for such training are proper and necessary subjects for international regulation.

4. The basis of such training, so far as safety is concerned, should be the fire drill, closing bulkhead doors, and lifeboat drills.

#### OCEAN PASSENGER STEAMERS.

5. Lifeboat drill may be divided into two parts:

(a) Training of the crew of each lifeboat in the swinging out and lowering of boats, direction and stowing of passengers, use of oars and other equipment.

(b) Training of the entire crew as a unit in their duties when it becomes necessary to abandon ship.

6. The efficiency of the crew as a unit can be attained only by frequent and thorough drills of the entire crew, or at least of not less than a full watch of all departments.



Such drills should take place:

- (a) After the ship has left the wharf on her voyage.
- (b) As a general rule once a week.

7. Lifeboats may be divided into two classes:

Class I—

- (a) Boats under davits.
- (b) Collapsible or decked lifeboats.

Class II. Life rafts—

- (a) Each boat of Class I should have at least three efficient boat hands (as hereinafter defined), including the officer or petty officer in charge of the boat.
- (b) Each life raft (Class II) should have at least one efficient boat hand.

8. *Definition*.—An efficient boat hand shall be a man trained in the launching, lowering, detaching, and handling of boats and the use of oars and shall also have served at least one year on vessels navigating the ocean, bays, sounds, or large inland seas or lakes.

9. The efficient boat hand shall have a Government certificate as such, which shall be recognized by other Governments reciprocally.

10. Asiatics may be certificated as efficient boat hands provided they meet the prescribed standards and also can understand and answer the orders of the officers relating to lifeboat service and duties.

11. Crews should be drilled at fire quarters and closing bulkhead doors where such exist at least once a week.

#### CARGO STEAMERS.

In view of the material differences between passenger and cargo steamers and of the further fact that the establishment of a new rating—efficient boat hand—has been recommended for ocean passenger steamers which will require time to carry out, the committee makes no recommendation for cargo steamers beyond the requirement of weekly boat and fire drills.

#### LOOKOUTS.

12. Seamen shall not serve as lookouts on ocean passenger steamers unless they have been examined as to acuity of vision, color sense, and hearing, and have Government certificates thereto; provided that ship surgeons or other reputable physicians or oculists may issue temporary certificates in cases where a Government medical officer is not accessible.

#### HEARING AND VISION OF OFFICERS.

13. In our judgment all licensed officers (including engineers) in the merchant marine should be required to pass tests for hearing, and all navigating or deck officers should be required also to pass tests for color sense and acuity of vision. These tests should be applied by Government medical officers—in the United States by officers of the Public Health Service. The tests should be practical and reasonable:

- (a) For hearing we suggest the requirement of ability to understand the words of ordinary conversation at 30 feet; (b) for acuity of vision, using the Snellen test card, we suggest a standard without spectacles of 20/20 vision in one eye and at least 20/40 in the other, provided that a candidate whose vision without glasses is less than this standard but not below 20/40 in one eye and 20/70 in the other who can show a corrected vision with spectacles of 20/20 in one eye and 20/40 in the other may be accepted; (c) tests for color sense should be made with the Holmgren worsteds or similar method.

14. Licensed officers at the end of five-year periods should be reexamined as to color sense, acuity of vision, and hearing, but slightly lower standards for acuity of vision and hearing would seem proper in view of the officer's increased experience.

Respectfully,

E. T. CHAMBERLAIN,  
Commissioner of Navigation, Chairman.

D. P. FOLEY,  
Senior Captain, United States Revenue-Cutter Service.

HENRY M. SEELEY,  
Supervising Inspector, Second District, Steamboat-Inspection Service.

W. J. PETTUS,  
Assistant Surgeon General, Public Health Service.

The above report is signed by me, subject to the reservation that I believe it unwise for the committee to confine itself to the recommendation that boat drills should take place "after the ship has left the wharf on her voyage" (p. 2, sec. 6a), and after the word "certificate," section 9, add the words "of discharge."

1. While I fully realize the importance of both boat and fire drills on shipboard, and know that without proper training of ships' crews by such drills the effectiveness of the elaborate equipment now required and further contemplated on board would be reduced to a minimum, I have considerable doubt as to the advisability of our committee confining itself to the recommendation that boat drills should take place "after the ship has left the wharf on her voyage."

2. Considering the practical side of that recommendation as I see it, and taking trans-Atlantic voyages as a base and, say, the port of New York as a point of departure, the bay and harbor of which are second to none in North America or northern Europe for facilities for holding such drills, I believe that to stop one of the large trans-Atlantic liners in that harbor or bay, even under the most favorable weather conditions, for the purpose of holding drills, might prove a menace to navigation, not only to the ship on which such drills are held but to the vessels constantly navigating in the vicinity. Unfavorable wind and tide would necessitate much maneuvering of the ship before being brought to a safe anchorage in order that drills be held. The same danger is afterwards present when maneuvering for a position to proceed to sea. The danger would be much greater in the event of unsettled weather or threatening mist or fog.

3. It is essential to general safety that a ship proceed to sea with all consistent speed after leaving her wharf, in order to avoid the dangers incident to congested waters and possible unfavorable conditions arising, such as fog, mist, snow, etc.

4. Considering the North Atlantic Ocean after leaving the United States or Europe as a suitable place for holding drills, I feel safe in saying that for months and months a ship may traverse the Atlantic without having an opportunity for holding an efficient boat drill. The drills contemplated by the committee, as I understand it, are to consist of lowering the boats to the water and the necessary hoisting of them on board again. They might often be lowered to the water in unfavorable weather on the ocean, and passengers safely disembarked, but in all probability many of the boats would be seriously damaged in process of being again hoisted on board, and thus rendered unavailable on the passage in the event of actual necessity arising for their use for abandoning the ship.

5. Another matter for consideration in connection with holding of boat drills at sea "after the ship has left the wharf on her voyage" is the danger of a panic, due to the presence of a large number of foreign emigrants on board, who do not understand the official language

spoken on board, and even if they are made to comprehend that the swinging out of the boats is for drills only, will not believe it. Several cases of a panic due to such drills at sea have been called to my attention.

6. Another consideration, although commercial and secondary, is worthy of attention. The probable time required for boat drill "after the ship has left her wharf on her voyage" on one of the large trans-Atlantic liners carrying, say, about 60 lifeboats, would be, according to weather conditions, from, say, two to five hours, including rehoisting and securing of boats, and the question arises, Do conditions of the past or probable conditions in the future warrant this delay to the traveling public and to the United States and foreign mails and the attendant risk and danger as above outlined?

The lesson learned from the most deplorable disaster known, in the loss of life due to the sinking of the *Titanic*, is that the loss of life, as I understand it, was not due to a lack of discipline or training in connection with the lowering and handling of lifeboats, but rather from an insufficient number of lifeboats to accommodate all passengers. Some of the boats of the *Titanic*, I understand, were not fully loaded, not because of a lack of training in their handling but because passengers would not go into those that first left the ship.

I suggest, in connection with boat drills once each week, weather permitting, as already recommended, that all boats under davits be swung out at least once each month, and a number of them lowered, so that all boats must have been in the water at least once in six months, the report of same to be entered in the ship's log book.

I also suggest for consideration that as all departments are to be drawn upon for boat hands, that each lifeboat of Class I should have efficient boat hands, as defined, equal to 10 per cent of the number of persons the lifeboat is certified to carry; that is to say, a lifeboat certified for 50 persons would require 5 of that number to be efficient boat hands.

7. I further suggest that section 9, on page 2, be amended in the first line, immediately following the word "certificate," by adding the words "of discharge," this certificate to be included in the current official "certificate of discharge," as now signed by the master, and who shall be the judge of efficiency of the boat hand, as he now is of the sailor's "character" and "capacity."

Respectfully,

HENRY M. SEELEY,  
United States Supervising Inspector, Second District.

DEPARTMENT OF COMMERCE,  
BUREAU OF NAVIGATION,  
Washington, June 7, 1913.

SIR: The committee designated by the Hon. William C. Redfield, Secretary of Commerce, to collect information and submit a report to him upon "Efficiency of officers and crews" of merchant vessels for the use of the American delegation to the International Conference on Safety at Sea incloses a list of questions, and would be pleased to receive your views upon the subjects thus outlined.

The committee shares in Secretary Redfield's regret that no appropriation has been made to carry out his original purpose to include in the membership of this committee expert representatives of the various organizations and companies intimately concerned with the subjects assigned as well as Government officers. Accordingly we request your cooperation through correspondence.

It would aid the work of the committee if your replies could be forwarded during June. Replies should be addressed to Commissioner of Navigation, Department of Commerce, Washington, D. C.

Respectfully,

W. J. PETTUS,  
Assistant Surgeon General, Public Health Service.

HENRY M. SEELEY,  
Supervising Inspector, Second District, Steamboat-Inspection Service.

D. P. FOLEY,  
Senior Captain, United States Revenue-Cutter Service.

E. T. CHAMBERLAIN,  
Commissioner of Navigation, Chairman.

#### SAFETY AT SEA—EFFICIENCY OF OFFICERS AND CREWS.

##### I. STANDARDS FOR MANNING LIFEBOATS.

Passenger steamers: The efficient manning of lifeboats of passenger steamers involves launching and handling of the boats and their equipment, swinging out, direction and stowing of passengers, lowering, detaching, hoisting, and use of cars.

A. Should standards be established—

(1) By statute?

(2) By regulation of the Steamboat-Inspection Service?

B. (1) Should the standard be based on years of service on deck; should the standard be service for one, two, or three years?

(2) Should the standard be based on practical tests of the man's ability to perform the work involved in manning lifeboats? Should such tests be conducted by and certified to by Government officers?

(3) Should the standard be based both on deck service and on practical tests?

C. (1) What minimum number of the crew for each lifeboat under davits should be required to conform to such standard of efficiency?

(2) What minimum number of the crew for collapsible boats, life rafts, etc., should be required to conform to such standard?

D. Are members of the engine department and of the steward's department, by previous occupation or by training on shipboard, competent for lifeboat service?

E. (1) Assuming that the crew must be trained and organized as a whole as to the duties of each member in case it is necessary to take to the boats, can this training be secured without a drill at which all lifeboats are lowered with the crews in them?

(2) Does the personnel of the crew change so frequently that such a drill should take place once for each voyage?

F. In the case of Asiatics or other seamen who, through lack of knowledge of the language of officers, do not understand orders, what provision should be made? Should they be wholly or partly ineligible for certain duties; and if so, what duties and to what extent?

Cargo steamers: Please consider the same subjects in their relation to crews of cargo steamers, on which, through the absence of passengers, including women and children, the problems are much simpler.

##### II. STANDARD TESTS—HEARING OF LICENSED OFFICERS.

1. The present regulations require tests for color sense and vision by a medical officer of the United States Public Health Service for the original license issued to masters, mates, and pilots, but require no examination by medical officers for hearing, as is prescribed by certain foreign countries. Candidates' hearing is now tested by the local inspectors of steam vessels.



(a) In your judgment, should the examination for original licenses of licensed officers (including engineers) require tests for hearing by medical officers of the United States Public Health Service?

(b) Would you deem the requirement of ability to hear a whispered voice at 10 feet or tones of ordinary conversation at 30 feet a fair test?

### III. STANDARD TESTS—RENEWAL OF LICENSES.<sup>1</sup>

In your judgment, should the same requirements for vision and hearing be prescribed for the renewal of licenses as for the issue of original licenses?

### IV. STANDARD TESTS—LOOKOUTS, ETC.<sup>1</sup>

In view of their important work, lookout men, steersmen, and quartermasters under the law of several countries are subjected to medical tests for color sense and vision.

(a) In your judgment, should seamen serving as lookout men, steersmen, and quartermasters be subjected to tests for color sense and hearing by medical officers of the United States Public Health Service and certificates thereof be furnished?

(b) Should the tests for color sense and hearing be the same as for licensed officers?

(c) Should tests for acuteness of vision of lookout men, steersmen, and quartermasters be made without glasses, since it is not their custom or practice to wear them?

(d) Would a requirement of 20/30 vision in one eye and 20/40 in the other eye without glasses be a fair test? (The test mentioned means that at 20 feet the candidate is able to read with one eye that which the normal eye should read at 30 feet. With the other eye the candidate must be able to read at 20 feet what the normal eye should read at 40 feet.)

### V. POSSIBLE EXTENSION OF STANDARD TESTS.<sup>1</sup>

Would you favor requiring all seamen of the deck department to be tested for vision, color sense, and hearing, the tests in these cases to be the same standard as for licensed officers; the testing for color sense in all cases to be made with the Holmgren worsteds, as prescribed in the regulations of the United States Public Health Service?

NATIONAL HOTEL,  
Washington, D. C., October 6, 1913.

Hon. WILLIAM C. REDFIELD,  
Secretary of Commerce, Washington, D. C.

DEAR MR. SECRETARY: A report from the committee on efficiency of officers and crews, International Conference on Safety at Sea, was submitted to you under date of September 13, 1913.

This report is made up of recommendations, which, if adopted, would to such an extent lower the standard and skill that it is very difficult for me to understand how these recommendations could be made by men of experience. The question is one of promoting safety, and as I understand it, any expense within reason or any increase in inconvenience to shipowners is not to be permitted to stand in the way; such consideration should have little weight, because the expense is transmitted to the traveler, the shipper, and the general public, either through freight rates or insurance. It seems to me there can be no excuse for any reduction in standards of skill which promote safety from the existing standards set by law or the existing standards in daily practical experience to-day.

The present legal standard of skill in the crew as found in the statutes and in decisions are:

"The owner shall properly equip, man, and outfit said vessel and make such vessel seaworthy and capable of performing her intended voyage."

Among other decisions the case of *In re Pacific Mail Steamship Co.*, C. C. V. 64, page 410, is cited as comparatively recent and upheld by the Supreme Court. In this case the court refused to grant the benefit of limited liability to the company because the crew was inefficient. The present presumption of law is that all the men shall be sufficiently skilled to understand and obey all orders; the further presumption is that these obligations rest upon all shipowners without regard to whether the vessel carries passengers or not; the law and the decisions alike take cognizance of the obvious fact that when two vessels meet it requires proper skill on board both to avoid a collision. The difficulty with the present situation is that the statute law of our country sets no definite standard of skill; it is a matter of decisions of the courts, each one resting upon testimony given by survivors; the gradual drift from the sea on the part of men of strength and skill has caused a gradual lowering of the practical standard. Up to the middle of the last century the laws and customs alike conspired to make it the shipowner's own vital interest to have the best men that could be obtained. The development of the present system of insurance and the adoption of the limited liability laws have resulted in a fundamental change in the shipowner's interest, and therefore in his point of view.

The statute law imposes no standard of skill, and the shipowners may therefore, except in the case of licensed officers, send their vessels to sea with men void of both experience and knowledge of the officers' language; yet with all this the traditions and customs that have grown up under former conditions are dying slowly, and vessels, as a general rule, have several men who are not only called able seamen, but who in experience and skill are really such; men trained under other and better conditions than the present are still obtainable to some considerable extent and are employed.

The recommendations of your committee seem to be based upon a paragraph quoted from a report made by the British committee on boats and davits to the effect that strict discipline and obedience are essential (in the crew). The crew must be able to understand and carry out the orders is the ruling of the courts; strict discipline and obedience is made the prerequisite in the recommendations by the British committee quoted and indorsed in this report; discipline is the ability to understand the orders and execute them; it is a result of training and experience, and the question arises, What training, how long experience? Germany answers, four years at sea; the English, the Australian, and the New Zealand laws answer, three years at sea; the British and Norwegian commissions recommend three years at sea. The lately adopted laws and the recommendations by commissions take cognizance of the change from sail to steam. The law of Great Britain was made three years at sea as a result of investigation and discussion running over more than 20 years. This law of Great Britain is ineffective in this, that while it sets a standard it does not compel the shipowner to carry any specified number of such men, the law having left this to the discretion of the board of trade.

<sup>1</sup> In case any candidate fails in the examination for color sense, he may be allowed a second examination upon the request of the proper officers. The Williams lantern for testing color sense, or some other lantern of equal merit, may be used for the second test.

The standard of efficiency recommended by your committee is the standard set for the man to be known as a "boat hand":

"The boat hand shall be a man trained in the lugging, lowering, detaching, and the handling of boats and the use of oars, and shall have served at least one year on vessels navigating the ocean, bays, sounds, or large inland seas or lakes."

The drill shall take place:

"As a general rule, once a week."

Let me try to illustrate this by using a trans-Atlantic liner: The liner makes about 12 trips a year; if the men remain with the vessel during a year—something almost unheard of—your efficient boat hand will have witnessed and perhaps participated in 24 boat drills. We know this to be a practical impossibility, because the conditions of weather and sea in the Atlantic would make it so full of danger that the boats ought not to be lowered except to save life. Let us assume that this man has been in a boat on the ocean 12 times. He has helped to swing it out 24 times and he may have done the real lowering perhaps 6 times. Real experts would not consider such men to be entitled to the rating of ordinary seamen, far less that of able seamen. Yet he is to have a "certificate from the Government." There is no provision for actual test of this man's ability, and the report of one member of the committee suggests to add after the word "certificate" the words "of discharge"; so that the certificate will be nothing more or less than the ordinary certificates of discharge issued by the master at this time and dependent purely upon his discretion, his likes or dislikes, of the man to whom it is given. If your committee had taken the worst-manned vessel as a standard, their recommendations would have been better than this. These boat hands may come from the deck, the fireroom, the engine room, the kitchen, or the saloon. The recommendations are three for each boat, one of whom is to be an officer or petty officer—that is to say, the person in charge of the boat may be an engineer, an oiler, a water tender, a chief steward—anybody with authority in any department of the vessel. A fireman coming from the heat of the fireroom with scant clothing, his pores open from the heat, is to go at once into a boat on the open ocean in the North Atlantic in the winter. How long will he last? The same applies to the engineer and the men coming from the sheltered saloon, though with less force. What are real experts to think of such rules as improving upon the present condition and for the purpose of promoting safety at sea? Politeness will induce them to cover their mouths with their hands.

One member of your committee criticizes the proposition to stop the vessel after she has left the dock and to train the men in abandoning vessels. His criticism is so obviously just and sensible that nothing said by me could improve upon it. Your committee further recommends rafts for some of the passengers and crews, and such raft is to have one such efficient boat hand in charge thereof. One wonders who are to go on the rafts. Presumably such of the crew as are not efficient boat hands and some steerage passengers. The men who have not been long enough at sea to be efficient boat hands as defined by your committee and the men from the steerage may not be willing to do this. They have absorbed none of the ethics or traditions of sea life, and more than likely it would be a question of who is the stronger. And the action might be based upon not women and children first but me first—let the devil take the hindmost.

I am loath to believe that any man with any real practical knowledge of the sea and its dangers would ever make any such recommendations or accept them as instructions.

Most respectfully and faithfully, yours,

ANDREW FURUSETH.

### TO PROMOTE THE WELFARE OF AMERICAN SEAMEN IN THE MERCHANT MARINE OF THE UNITED STATES.

Letter from the Secretary of Commerce to the chairman of the Committee on Commerce transmitting a copy of a letter from H. H. Raymond, president of the American Steamship Association, relative to the bill S. 4, "A bill to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea."

DEPARTMENT OF COMMERCE,  
Washington, May 21, 1913.

Hon. JAMES P. CLARKE,

Chairman Committee on Commerce, United States Senate.

SIR: I transmit herewith a copy of a letter dated the 19th instant, from Mr. H. H. Raymond, president American Steamship Association, concerning seamen's legislation pending before your committee.

Respectfully,

WILLIAM C. REDFIELD, Secretary.

AMERICAN STEAMSHIP ASSOCIATION,  
New York, N. Y., May 19, 1913.

Hon. W. C. REDFIELD,

Secretary of Commerce, Washington, D. C.

DEAR SIR: Just before the close of the last session of Congress hearings extending over a period of about four weeks were given by the Committee on Commerce of the United States Senate on a bill which had passed the lower House (H. R. 23673), commonly designated the Wilson bill. Exhaustive testimony was submitted by representatives of the seamen's union and of the steamship owners. The committee did not agree on the Wilson bill, but reported a bill, known as the Burton bill, embodying many of the features of the Wilson bill, but eliminating its most unreasonable clauses, which passed the Senate and was finally concurred in by the House. This bill was, however, vetoed by President Taft, the reason assigned being that it had reached him only the day before his term expired and he did not have opportunity to give it due consideration.

At the present session of Congress Senator LA FOLLETTE has introduced into the Senate bill S. 4, which is almost identical with the Wilson bill, while Senator NELSON has introduced bill S. 136, the counterpart of the Burton bill which the President vetoed, and my information is that strong efforts are being made to have the Senate Committee on Commerce report the La Follette bill favorably to the Senate, coupled with assurances that if this is done the House will concur in it and the President sign it.

While the Burton bill, or, as it is now called, the Nelson bill, will entail hardships on our steamship interests, it does not contain the most vicious feature of the Wilson bill or the La Follette bill, viz, the section requiring that every vessel of the United States must have in her complement of deck crew, exclusive of her licensed officers, 65 per cent "able seamen" of three years' experience on the ocean or the Great Lakes, which in the latter case would be equivalent to four and



a half years, since navigation on the Great Lakes is closed for four months of each year.

The designation "able seamen" belongs to the days of the sailing ship, before the advent of the steamer. The sailing ship is fast disappearing as a factor in sea transportation, and with the opening of the Panama Canal will become less so, if we may consider the effects of the opening of the Suez Canal as a criterion. The work performed by the deck hands aboard a modern steamer, with her short masts, little rigging, and almost no sails, is of the most ordinary kind of unskilled labor that can be imagined, consisting for the most part of washing decks, scrubbing paint, and polishing brasswork, the center of gravity, so to speak, having shifted from the deck to the engine department, where the really technical part of a steamer's work is now performed. Even on the deck most of the heavy work is to-day operated by machinery controlled by the engine-room forces. To insist that it requires three years' experience to acquire facility to perform such simple duties is absurd, the general opinion of practical steamship officers being that three months at most would be amply sufficient.

It needs no argument to demonstrate, it is self-evident, that the preparation necessary to become a qualified member of the engine-room force of a modern steamer should be immeasurably longer than that required for the simple duties of a deck hand, yet the law requires but three years' preliminary service in the engine room to qualify as a licensed engineer officer and the same period for a deck officer. Not only so, but a preliminary service of about six months or a year is generally considered sufficient to equip a young man of ordinary intelligence to competently perform the duties of a junior engineer, and certainly not longer to qualify as a fireman.

More three years' service of itself would be no indication of capacity, and the latter alone should be considered in the selection of crews for any position in all departments of a ship, but the requirements of this bill merely call for three years' service and provide for no test of skill before a Government certificate is issued. The men best fitted to fill the exceptional duties in the deck department of a modern steamer are those brought up around the rivers and harbors abounding on our enormous extent of seaboard, and in such bays as the Chesapeake and its tributaries, where they are accustomed to handle small boats of all descriptions from youth; yet by the terms of this bill these young men are prohibited from qualifying as able seamen. The experience acquired by a young American raised on the rivers, creeks, and bays of such a State as Maine, and even in the fisheries, would not avail him if he desired to devote himself to the seafaring calling. Furthermore, no young man with any self-respect would desire to enter an occupation which required him to submit to a three years' apprenticeship (which this really amounts to) to qualify for duties which can be acquired in as many months. To do so would be tantamount to admitting incapacity; rather, it would have the effect of repelling the very kind of young men we would all gladly see attracted to the profession from which to recruit our officers. The American has the reputation all over the world, and deservedly so, for his adaptability, but should any such provision as this become enacted it would be a serious contradiction to this commendable tribute to our national capacity.

It is an admitted fact that most young men do not remain at sea for a lengthy period, either in the merchant service or in the Navy, the exceptions being among those who aspire to become officers. After a few years at most, and in many cases less than a year, when the romance and glamor of the sea has relinquished its hold over them, they seek more congenial employment ashore, or some kind of marine occupation which will permit them to be more frequently at home. This depletes the number of those from whom we could recruit the 65 per cent of certificated seamen to such an extent that it would be an utter impossibility to comply with the law even in some of the larger ports of the country. The available men would naturally concentrate in the largest ports, where opportunities were greatest, and few of them would be found at the smaller ports. The effect of this would be that should one or more of these certificated men take sick or desert a ship, or should a whole crew leave a ship for any reason at such ports as, say, Norfolk, Va., Charleston, S. C., Savannah, Ga., Jacksonville, Fla., New Orleans, La., Galveston, Tex., or at any of the ports on the Pacific coast, save, perhaps, San Francisco, there would be no means of replacing them until the owner had sent to the larger ports and had certificated men brought to the lesser port, nor could the ship leave until this had been done. The embarrassment resulting from such a state of affairs can be imagined should this occur just immediately prior to the ship's scheduled hour of departure, when she would have a large number of passengers aboard and probably a highly perishable cargo.

I submit these objections to the La Follette bill for your consideration, feeling assured that you will give them the thought that they merit.

Very truly, yours,

H. H. RAYMOND, President.

WASHINGTON, D. C., October 18, 1913.

Hon. JAMES P. CLARKE,  
Chairman Senate Committee on Commerce,  
United States Senate.

MY DEAR SIR: Inasmuch as this bill is most technical in some features and its effect likely to be misunderstood by many who are not familiar with navigation, I venture to submit to you a brief memorandum of what appears to be the real purpose of the measure and why there is such a marked difference between the bill as advocated by the representative of the seamen and the shipowners.

It should be clearly understood that a large part of this measure is already existing law and that the bill only reenacts, with some slight changes, a number of sections of the Revised Statutes which are already in force. It should not, therefore, be assumed for a moment that the shipowners are opposed to the legislation proposed in many of the provisions of the several bills pending, because it was fully brought out at the hearings in both the Senate and House committees that the differences relate to but few features of the bill, but that those differences are quite marked, and we believe the opinions expressed by us are in the interest of safety at sea.

Briefly stated, this bill provides as to new legislation the number of hours beyond which no seaman shall be required to work unless he is paid overtime therefor, and while this feature will work a severe hardship on some of the lines, it was clearly established at the hearings that this was not the most objectionable feature contained in the proposed legislation.

Great stress has been laid upon the seaman being permitted to leave his employment without fear of arrest or imprisonment—and this notwithstanding the fact that the owner of a vessel is bound by contract to fulfill all the terms thereof while the sailor is to be given the right

to abandon his agreement without question—but if it is the wisdom of Congress that such a provision should be enacted into law, it seems quite evident from the hearings that the shipowners were not entering a great protest thereto, nor has there been any serious differences of opinion as to the right of the sailor to demand his wages when leaving the employ of the steamer.

While there was some discussion over the subject of increased space for quarters and washing outfits, it was clearly established to the committee that there could be no objection to any reasonable requirement where it was mechanically possible to install the apparatus, and the committee in framing the legislation that has been proposed has dealt with this subject in a manner which seems entirely agreeable to the seamen and which also is considered as fair by the shipowner. Some of the objections which had originally been raised to this feature of the law were based upon such things as a requirement that hot and cold water should be furnished on all types of vessels, because a literal construction of the language would have been impossible of compliance with on some sailing craft where hot water was not obtainable. Proper explanation of all of these details clearly satisfied the committee that owners of vessels were acting in good faith, as was evidenced by the result being agreeable to both sides of the controversy.

No shipowner can be found who is willing to say that legislation amending or extending the laws that will protect a sailor from being defrauded by a boarding-house keeper or some other unscrupulous person should not be enacted, and anything that may have been said before the committee was not based upon an objection to that sort of legislation, but was in connection with the results that all of these provisions will obtain.

The greatest difference that arose during the discussion before your committee was in connection with that section which provides for the manning of lifeboats, and the shipowners are prepared to submit to the unbiased mind for decision whether the employment of so-called "able seamen" will insure safety to the traveling public. We have contended, and we believe from long experience rightfully so, that length of service at sea does not qualify a man to handle a lifeboat. There are many instances of persons who have served on deck at sea on various vessels for years who are not experienced in handling small boats; and as the object of the legislation sought to be enacted is to better protect human life at sea, it seems it should make no great difference as to whether a man is called an "able seaman," a "skilled lifeboat man," or a "life guard," so long as he is qualified to perform that particular service which is expected of him during the hour of disaster or need for his service.

The shipowner has suggested that it would be wise for Congress to provide as a requirement to protect human life that no vessel should depart from a port of the United States unless she had in her crew not less than two skilled persons for each lifeboat carried, and that such persons should be required to demonstrate to the satisfaction of the local inspectors, under rules to be prescribed by the Department of Commerce, that they are capable of swinging out, lowering, detaching from boat falls, experienced in the use of oars, and understand the proper manner of placing persons in such lifeboats. In other words, the shipowner asks that the service to be performed by the men who are to handle the boats shall be specifically set forth, so that there can be no doubt of their ability to meet an emergency when it arises. Certainly because the shipowner is aware of the fact that the "able seaman" of to-day is not the "able seaman" of the day of the sailing ship and does not possess the skill that the name would imply and recommends a specific requirement in lieu thereof is no justification for claiming the shipowner is endeavoring to underman a vessel or provide unskilled employees.

The modern steamer of to-day is so mechanical in all of its performance that there is little left for the sailor to do on deck outside of that which could be performed by any able-bodied person, except in so far as the handling of lifeboats is concerned. If that is conceded, then it matters little whether a lifeboat is manned by a person called an "able seaman" or by some one else possessed of the requisite skill and called a life guard or a lifeboat man.

The mere provision that three years' experience at sea on deck shall be required to qualify a person to become an "able seaman" does not carry with it any guaranty of safety to the public, because the work performed by the deck men aboard a modern steamer, with her short masts, little rigging, and almost no sails, is of the most ordinary kind of unskilled labor that can be imagined, consisting for the most part of scrubbing paint and polishing brass work. The center of gravity, so to speak, has been shifted from the deck to the engine department, where the really technical part of a steamer's work is now performed. Even on the deck most of the heavy work is to-day operated by machinery controlled by the engine-room forces. Therefore to insist that it requires three years' experience to acquire the ability to perform such simple duties is absurd.

No other nation in the world, with the exception of Australia, has ever attempted to prescribe, either by legislation or departmental regulations, that seamen shall be certificated or that any percentage of a ship's deck crew shall have a specified period of sea service, not even in the day when the sailing ship was the sole ocean carrier and when the work required of a seaman was complicated and technical.

It needs no argument to demonstrate that the preparation necessary to become a qualified member of the engine-room force of a modern steamer should be longer than that required for duty on deck—speaking specifically of the actual deck duties. Yet the law to-day demands but three years' preliminary service in the engine room to qualify as a licensed engineer. Not only so, but a preliminary service of about six months or a year is generally considered sufficient to equip a young man of ordinary intelligence to competently perform the duties of junior engineer, and certainly not longer to qualify as a fireman.

More three years' service of itself would be no indication of capacity. Capacity alone and not length of service should be considered in the selection of crews for any position in all departments of a ship, but the requirements of the bill proposed originally by the seamen merely provides for three years' experience at sea or on the Great Lakes shall be had as a prerequisite to obtain a certificate of "able seamanship."

The men who are to-day best fitted to fulfill the exceptional duties in the deck department of a modern steamer are those brought up around the rivers and harbors on our seaboard and in such bays as the Chesapeake and its tributaries, where they are accustomed to handle small boats of all kinds from boyhood; yet by the terms of the bill proposed by the seamen the best of these men would be prohibited from qualifying as "able seamen." Therefore we contend that length of service at sea is no guaranty of efficiency, and that the provision set forth in the bill (S. 136) as reported to the Senate by the Committee on Commerce providing for two skilled lifeboat hands for each lifeboat carried, and specifying definitely the qualifications which they shall possess before they shall be entitled to be so rated, is striking at the



very root of the thing and accomplishing the real purpose that should be in the heart of all who are seeking to safeguard life at sea and which has never met with objection from owners of vessels.

The opposition upon the part of the seamen to legislation so fairly drawn as that contained in the bill as reported to the Senate can not be understood, unless it is based upon some selfish purpose, and no such purpose should be given consideration by Congress in a matter of so great importance as that dealing with the protection of human life.

It can be conceived that the original bill presented by the seamen has a purpose in mind which is not altogether in the interest of safety, i. e., that of taking the manning of vessels entirely out of the hands of the Government and placing the same in the hands of the seamen themselves. The question might be asked, How can this be effected? The answer is clear:

By abolishing the present laws, in so far as they bring about alleged "involuntary servitude," by which right is lodged with the master of a vessel to require a seaman to perform service after signing an agreement to do so, the sailor is privileged to leave his employment without fear of being compelled to perform his contract. This is the first stage by which the seaman is allowed to effect the arrangement by which the manning of vessels will be turned over to the seamen themselves. Next, the provision by which it is made a misdemeanor for anyone to issue an allotment note or to advance any seaman wages aids in bringing about a condition by which the sailor himself is deprived of being able to seek lodging any place but the place which may be chosen by a majority of the seamen themselves; because it can readily be understood that there could be many honest boarding-house and lodging-house keepers who might hesitate to grant credit to a sailor who may be here to-day and who may ship for some foreign port before he could possibly have funds with which to pay for his keep while seeking employment.

Driving the seamen in this way to one central point will undoubtedly have the effect of combinations among the men being formed and conditions being laid down which may not be conducive to safety at sea.

The writing into the statutes of a provision that no vessel shall sail from a port of the United States unless she shall carry "in her deck department" a fixed number of men called able seamen, simply because they make affidavit that they have had three years' experience at sea, is fraught with much danger. This provision provides the finishing touches to a grand opportunity for the men to absolutely dominate the situation and does not leave to the Government any rights whatsoever.

It should not be overlooked that the seamen may not be seeking so much the protection of human life as to give themselves a dominating position over the vessel owners. A careful study of the provisions of the bill proposed by the seamen (Senate bill No. 4) will show that it is most adroitly drawn and so cleverly woven together that to him who is not well posted as to maritime affairs some dangerous clauses look most reasonable.

Think of a bill being introduced into Congress to provide an extra ounce of butter and an extra quart of water per day. What seaman to-day would stand up and claim that he is denied all the butter and water he could use? But that is one of the provisions which is calculated to bring to the cause sympathy, and it is for no other purpose.

It seems that the real and only object of the bill proposed by the seamen is to secure, by legislative enactment, a dominating position which will enable them to dictate the terms and conditions under which and how they shall perform service. They can better accomplish this purpose by limiting the effective hands to the deck department. They appear to stubbornly object to men from other departments of the ship being counted upon for service in an emergency, undoubtedly because this would probably make the situation for their purpose more difficult of control.

Is it not better to have men available for lifeboat or other duty of emergency from all departments of the ship than to limit the effective men to the "deck department"? The case of the *Volturno* answers this question conclusively. In that case a large number of the men were in their bunks and were cut off from escape, thus depriving the vessel of their services. How many of these men belonged to the deck department can not be answered, but under the three-watch system there must have been the same number off deck duty as off duty from other departments. Consequently are you not inviting disaster by limiting your effective boat hands to the deck department? Only a selfish reason can produce an answer in the negative.

Candidly, does it not seem that this is a question where the public should be considered of first importance, and that the claims of both the shipowners and the seamen should be brushed aside as a secondary consideration? That being the case, does it not seem that a provision by which two skilled lifeboat men are to be provided for each lifeboat carried, and that no person can be rated as a skilled lifeboat man until he has demonstrated conclusively to the local inspector that he is capable of swinging out, lowering, detaching from boat falls, can properly use oars, and in every way is qualified to handle a ship's lifeboat, which provision goes to the very heart of the thing sought to be accomplished, is better than a provision that there shall be in the deck department two able seamen for each lifeboat carried?

In one instance you are specifically requiring a man to possess a knowledge of that particular duty which he is expected to perform, while in the other you are simply taking a chance on three years' service at sea qualifying him to perform such duties, to say nothing of the risk that might be involved through perjury in securing certificates of able seamanship.

It must be remembered that the bill proposed by the seamen distinctly states that "any person making affidavit that he has had three years' experience at sea on deck shall be given a certificate, and that such certificate shall be prima facie evidence of his qualification." Suppose some one should stoop to perjury to obtain such a certificate; is there any way to determine this fact? If one might do this, why might not hundreds?

By the adoption of the "able-seamen" provision proposed by the seamen this Government will come dangerously close to placing the manning of ships in the hands of persons other than the shipowners and Government officials. It will be opening a way by which some boarding-house keepers, saloon keepers, etc., along the harbor fronts will get possession of these certificates and may be automatically producing able seamen for a consideration. In fact, these certificates will find their way all over the world. They will change hands from time to time, and in the course of a short while a certificate will not be worth the paper on which it is written so far as insuring that the holder thereof has any special qualifications to render extraordinary service in time of disaster.

The provision which has been recommended for adoption in the Nelson bill certainly seems to be more conducive to safety of life aboard

a passenger ship than the arbitrary method proposed in the bill suggested by the seamen, and there would be some opportunity for the young men who have spent their lives on our bays and harbors in handling small boats to demonstrate their efficiency for service on some of our seagoing vessels. Under the proposition proposed by the seamen it may make a closed shop of men who have been able to get the certificates, and will deny every chance to a capable man who is not in their circle from every securing legitimate employment on board a vessel. The query naturally arises, Why can not any experienced person get a certificate? The answer is plain. The seamen may find it rather easy within their own circles to obtain these certificates, because there will be no one to challenge the truth or veracity of their statements as to the length of sea service they have had. But consider the man who is not within the circle, but who has had a number of years' experience at sea and applies for a certificate. The seamen will undoubtedly make it a point to learn to whom such certificates are issued, and will challenge the statements of everyone who is not within their circle, thus practically making it impossible for an unattached individual from ever obtaining a certificate of seamanship unless he is willing to abide by the terms and conditions that may be laid down by the seamen. A careful consideration of this phase of the case will so fully unfold the dangers that further argument seems unnecessary.

In conclusion, it can be stated without fear of contradiction that the bill proposed by the seamen is not designed nor would it work for the safety of human life at sea. If they were seeking safety, they would not refer to the Nelson bill as a makeshift and utterly unsuitable to accomplish the results which the public should expect. The truth is the Nelson bill is 95 per cent the same, word for word, as the bill which passed the House last session. The only difference, which seems vital to the seamen, is that provision relating to "able seamen," and the reason they make such a vital point of this is not that it will not protect human life to the fullest extent, but that it will not make possible the carrying out of plans to put into their own hands the manning of vessels and to absolutely take this away from Government supervising. That is all there is to the question, and it does not seem that Congress should give much consideration to a proposition where the seamen would simply get an advantage over the vessel owner, or vice versa, when the subject of human life is at stake.

Put the seamen in a position to dominate the manning and operation of a vessel and you will absolutely destroy discipline. Without discipline there can be no safety. The ship owners ask that whatever is done shall be done under the eye of our trained Steamboat-Inspection Service, and that those officials shall be left some say as to how our vessels shall be manned and operated.

The whole bill is so important in its scope and is so put together to accomplish a purpose which we are sure Congress would not favor if the matter were fully understood that your most careful consideration of the entire subject is invited before the bill that is proposed to displace that of the committee is enacted into law.

Respectfully, yours,

EDWIN H. DUFF,  
Attorney American Steamship Association.

#### HOUSE BILLS REFERRED.

H. R. 8702. An act to authorize the county of Miami, Ind., to construct a bridge across the Wabash River in Miami County, Ind., was read twice by its title and referred to the Committee on Commerce.

H. J. Res. 142. Joint resolution to provide for furnishing the additional rooms in the House Office Building was read twice by its title and referred to the Committee on Appropriations.

#### CONGRESS HALL CELEBRATION IN PHILADELPHIA.

The joint resolution (H. J. Res. 134) for the appointment of a joint committee from House and Senate to attend Congress Hall celebration in Philadelphia in October, 1913, was read the first time by its title.

Mr. MARTINE of New Jersey. Mr. President, I most respectfully ask that unanimous consent may be given for the immediate consideration of the joint resolution. I have a draft of a joint resolution similar in purport to that which I proposed to introduce, but since this joint resolution has come from the House I will not pursue that course.

I trust that this most patriotic step will be taken. It involves no expense to the Government, but simply authorizes the President to appoint one Senator and one Member of the House representing each of the original thirteen States to participate in the ceremonies and celebration in turning Congress Hall over to the city of Philadelphia. The city has provided for the celebration and will bear the entire expense. At the end of the joint resolution there is a clause wherein it declares that there shall be no expense incurred by the United States.

Mr. President, I am very much in favor of all measures that may tend to preserve the too few historic buildings and places we have in this country.

Mr. SMOOT. There was so much confusion in the Chamber that I did not hear what is the joint resolution. May I ask that it be read?

The VICE PRESIDENT. The Secretary will read the joint resolution.

The joint resolution was read the second time at length, as follows:

Whereas Congress Hall, Philadelphia, has been recently restored to the condition in which it existed when used by the Continental Congress and the Congress of the United States at Philadelphia; and Whereas the citizens of Philadelphia have arranged for a fitting celebration to be held upon the turning over of the building by the committee in charge of the work of restoration; and

Whereas the city of Philadelphia has extended an invitation to the Congress of the United States to have a representation of the Senate and House at the ceremonies: Therefore be it

*Resolved, etc.,* That the President of the Senate be, and is hereby, authorized to appoint 13 Members, one from each of the 13 original States, to represent the Senate; and that the Speaker of the House of Representatives be, and is hereby, authorized to appoint from the membership of the House such number of Members as may be requested by the city of Philadelphia; and that the Members of the Senate and the Members of the House so appointed shall constitute a joint committee on behalf of the Congress of the United States to attend the above celebration: *Provided*, That the attendance of the committee shall entail no expense on the Government of the United States.

Mr. BURTON. I should like to ask if there is any indication in the resolution as to the date of the visit to the city of Philadelphia?

Mr. MARTINE of New Jersey. On the 25th of October—a week from to-day.

Mr. BURTON. And for one day?

Mr. MARTINE of New Jersey. Only.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The VICE PRESIDENT. The Chair, being desirous of appointing as nearly as possible Senators who are in the city to attend the celebration at Congress Hall, in Philadelphia, makes the following appointments:

From the State of New Hampshire, Mr. HOLLIS; from the State of Massachusetts, Mr. WEEKS; from the State of Connecticut, Mr. BRANDEGEE; from the State of Rhode Island, Mr. COLT; from the State of New York, Mr. O'GORMAN; from the State of New Jersey, Mr. MARTINE; from the State of Pennsylvania, Mr. PENROSE; from the State of Delaware, Mr. DU PONT; from the State of Maryland, Mr. SMITH; from the State of Virginia, Mr. MARTIN; from the State of North Carolina, Mr. OVERMAN; from the State of South Carolina, Mr. TILMAN; and from the State of Georgia, Mr. BACON.

#### PENSIONS AND INCREASE OF PENSIONS.

Mr. SMOOT. I ask unanimous consent for the present consideration of Order of Business 35, Senate bill 834, granting pensions and increase of pensions to certain soldiers and sailors, and so forth. The reason why I make the request is that all the other omnibus pension bills have been passed by the Senate and are in the House. I ask that this bill be passed now, so that all the pension bills can be considered at once by the House committee.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 834) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, which had been reported from the Committee on Pensions with amendments.

The first amendment of the Committee on Pensions was, on page 13, line 23, after the words "per month," to insert "in lieu of that he is now receiving," so as to make the clause read:

The name of Judson P. Adams, late of Company F, One hundred and twenty-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 14, after line 14, to insert:

The name of John A. Barnhouse, late of Company F, Ninth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 14, after line 18, to insert:

The name of Horace A. Hitchcock, late of Company C, Forty-eighth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 14, after line 22, to insert:

The name of Benjamin F. Jay, late of Company A, Forty-fifth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 15, after line 2, to insert:

The name of Nathaniel J. Smith, late of Company L, Second Regiment United States Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### THE MERCHANT MARINE.

The VICE PRESIDENT. The morning business is closed. The Chair lays before the Senate Senate bill 136.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 136) to promote the welfare of American seamen in the merchant marine of the United States, to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto, and to promote safety at sea.

Mr. LA FOLLETTE. Mr. President, so far as I have been able to ascertain there is no Senator prepared to speak to-day upon the bill which is the order of business. I myself had expected to address the Senate to-day, but being somewhat indisposed I prefer to wait until the next legislative session of the Senate. If no other Senator is ready to go on to-day, I suggest to Senators on the other side of the Chamber that if an executive session is desired it might be had at this time.

Mr. CLAPP. Mr. President, before an executive session is had I ask permission, when the other bill is laid aside, if it is laid aside, to bring up Order of Business 93, being Senate bill 192, for further consideration. If the Senate does not go into executive session, we can take up that bill. It is the bill to limit the use of campaign funds in presidential and national elections.

Mr. LA FOLLETTE. I have no objection to taking up any bill within the morning hour, provided it works no impairment of the unanimous-consent agreement.

The VICE PRESIDENT. The Chair has the understanding, and so rules, that Senate bill 136 will be the regular order of business at the conclusion of morning business at the next session of the Senate.

Mr. SMOOT. Do I understand that there has been a request that the unfinished business be temporarily laid aside? In order that the bill may hold its place, such a request should be made.

The VICE PRESIDENT. The Chair so understood.

Mr. LA FOLLETTE. I did not make that request, because the bill does not come up at this time as the unfinished business. It would come up as the unfinished business at 2 o'clock, as I understand. It comes up now, if it comes up at all, under the order made by the Senate. If, having been laid before the Senate under that order, it can be laid aside to take up any other measure before 2 o'clock without working any infringement upon the unanimous-consent agreement, I have no objection.

The VICE PRESIDENT. The Chair does not know whether the Chair will be overruled or not; but the Chair will at least hold that Senate bill 136 has at present the right of way in the Senate, and that if it be temporarily laid aside it does not thereby lose the precedence which it will have at the next session of the Senate.

Mr. SMOOT. That is as I understand it, and that is why I suggested that the bill be temporarily laid aside, because I think that then the bill will remain in the same position as it is to-day; but if other business were taken up without laying it temporarily aside, I am of the opinion that it would displace it as the unfinished business. I think the Chair is perfectly right in his ruling.

Mr. LA FOLLETTE. With that understanding, I will ask to have the bill temporarily laid aside.

The VICE PRESIDENT. In the absence of objection, that will be done.

Mr. BURTON. I have no objection to laying the bill temporarily aside, but I should like to ask until what day it is intended to adjourn the Senate?

Mr. LA FOLLETTE. Until Monday.

Mr. BURTON. I would suggest that the adjournment should be not later than Monday, for which I am not certain how long the debate will be on this measure it is desirable that there should be plenty of time for it.

Mr. LA FOLLETTE. I quite agree with the Senator from Ohio that there should be ample time for debate, and, so far as my own relation to the bill is concerned, I will say that from the session on Monday I shall urge the Senate to consider the bill continuously until it is passed or the limitation of the order is exhausted.

Mr. CLAPP. Mr. President—

Mr. BACON. I would suggest to the Senator from Minnesota, with his permission, that there is some executive business which will not occupy a very great time, and that if an executive session were held we could very readily return to legislative session immediately thereafter. There are some Senators who are anxious about certain matters which should be disposed of in executive session.

Mr. CLAPP. Well, Mr. President, if an understanding could be had that we resume legislative session, I should have no objection, of course, to an executive session.



Mr. BACON. I have no doubt that that will be done.

Mr. CLAPP. Very well. Then I will not at present make the motion which I intended to make.

#### EXECUTIVE SESSION.

Mr. BACON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 45 minutes spent in executive session the doors were reopened.

#### FREE AND EFFICIENT SEAMEN.

Mr. LA FOLLETTE. I find that House Report No. 645, Sixty-second Congress, second session, submitted by Mr. Wilson, of Pennsylvania, from the Committee on the Merchant Marine and Fisheries, to accompany House bill 23673, is exhausted. As it bears upon the bill which has been made the special order, and as there has been something of a call for copies of the report, I ask for the adoption of the following order.

The order was read and agreed to, as follows:

*Ordered*, That 500 copies of House Report No. 645, Sixty-second Congress, second session, relative to free and efficient seamen, be printed for the use of the Senate document room.

#### CONTRIBUTIONS FOR CAMPAIGN PURPOSES.

Mr. CLAPP. I ask unanimous consent that the Senate now proceed to the consideration of the bill (S. 192) to limit the use of campaign funds in presidential and national elections.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The VICE PRESIDENT. The pending question is on the amendment offered by the Senator from Minnesota [Mr. CLAPP], which will be stated.

The SECRETARY. On page 2, line 20, after the word "committee," strike out the words "properly reported as," and in the same line, after the words "required by law," to insert "to report; but the members of the committee shall be responsible and penalized as herein provided if the contribution be not reported as required by law," so as to make the proviso read:

*Provided*, That this act shall not apply to the payment of bills incurred by a national or State campaign committee in the fitting out and maintenance of speaking campaigns by a candidate for the office of President or Vice President where a train is fitted out and maintained by the national or State committee; nor shall it include the actual expenses of speakers sent out by a national or State committee, the expenses of literature distributed by a national committee, advertisements marked as such paid for by a national committee, or campaign funds raised for and sent to a national committee required by law to report; but the members of the committee shall be responsible and penalized as herein provided if the contribution be not reported as required by law.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE PRESIDENT. If there be no further amendments as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

Mr. SUTHERLAND. I should like to ask the Senator from Minnesota whether the amendments which I suggested when the bill was under consideration before were adopted?

Mr. CLAPP. Yes, sir; they were.

The VICE PRESIDENT. The question is on concurring in the amendments made as in Committee of the Whole.

The amendments were concurred in.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. KERN. I move that the Senate adjourn.

The motion was agreed to; and (at 1 o'clock and 20 minutes p. m.) the Senate adjourned until Monday, October 20, 1913, at 12 o'clock meridian.

#### NOMINATIONS.

*Executive nominations received by the Senate October 18, 1913.*

##### SURVEYOR OF CUSTOMS.

Joseph A. Maynard, of Massachusetts, to be surveyor of customs in the district of Massachusetts, in place of Edward G. Graves, resigned.

##### NAVAL OFFICER OF CUSTOMS.

John B. Nash, of New Hampshire, to be naval officer of customs in the district of Massachusetts, in place of James O. Lyford, resigned.

##### ASSISTANT APPRAISER OF MERCHANDISE.

Francis X. Quigley, of Massachusetts, to be assistant appraiser of merchandise in the district of Massachusetts, in place of Rufus A. Flanders, superseded.

##### COLLECTOR OF INTERNAL REVENUE.

John F. Malley, of Massachusetts, to be collector of internal revenue for the third district of Massachusetts, in place of James D. Gill, resigned.

##### PROMOTION IN THE REVENUE-CUTTER SERVICE.

Second Lieut. Muller Stuntz Hay to be a first lieutenant in the Revenue-Cutter Service of the United States, to rank as such from July 19, 1913, in place of First Lieut. Harry Gabriel Hamlet, promoted.

##### SOLICITOR OF INTERNAL REVENUE.

Ellis C. Johnson, of Washington, to be solicitor of internal revenue, vice Fletcher Maddox, resigned.

##### UNITED STATES ATTORNEY.

Burton K. Wheeler, of Montana, to be United States attorney for the district of Montana, vice James W. Freeman, resigned.

##### UNITED STATES MARSHAL.

Jacob A. Herring, of Texas, to be United States marshal, southern district of Texas, vice Calvin G. Brewster, resigned.

##### GOVERNOR OF PORTO RICO.

Arthur Yager, of Kentucky, for appointment as Governor of Porto Rico, as provided for in the act of Congress approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," to be effective November 6, 1913, vice George R. Colton, whose resignation has been accepted to take effect November 5, 1913.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate October 18, 1913.*

##### ASSISTANT TREASURER OF THE UNITED STATES.

Martin Vogel to be assistant treasurer of the United States at New York.

##### ASSISTANT APPRAISER OF MERCHANDISE.

Christopher C. Keenan to be assistant appraiser of merchandise in the district of New York.

##### COLLECTOR OF INTERNAL REVENUE.

William C. Whaley to be collector of internal revenue in the district of Montana.

##### POSTMASTERS.

###### KENTUCKY.

Jacob Fisher, Russell.

###### MISSISSIPPI.

W. L. Walton, Lexington.

###### MONTANA.

Chester E. Wofford, Roundup.

###### NORTH DAKOTA.

John Foran, Mandan.

###### UTAH.

Alonzo A. Savage, Hyrum.

###### VIRGINIA.

Frank W. Sheld, Hampton.

#### SENATE.

*Monday, October 20, 1913.*

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

The Journal of the proceedings of Saturday last was read and approved.

##### ENROLLED BILLS SIGNED.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 767. An act granting permission to the city of Marshfield, Ore., to close Mill Slough, in said city; and

S. 3296. An act to enable the Commissioner of Indian Affairs to employ additional clerks on heirship work in the Indian Office.

##### COTTON BAGGING AND TIES (S. DOC. NO. 213).

Mr. SMOOT. I move to reconsider the vote authorizing the printing of the communication from the Secretary of Commerce, transmitting reports prepared in the Bureau of Foreign and Domestic Commerce, on the recent advance in the price of bagging used in baling cotton, and so forth.

The motion to reconsider was agreed to.

Mr. SMOOT. I ask that an order be entered authorizing the printing of the communication from the Secretary of Commerce,